IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chad J. Kugler et al.
Docket No.: TER1001USD1
Anticipated Classification of this
application:
Class _____ Subclass_____
Prior Application: 09/039,776
Examiner: Michael J. Milano
Group Art Unit: 3738

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a request for the filing under 37 C.F.R. § 1.53(b) of a
☐ continuation, ☒ divisional, ☐ continuation-in-part of pending prior Application No.
09/039,776, filed March 16, 1998, entitled BILUMINAL ENDOVASCULAR GRAFT
SYSTEM and naming as inventors Chad J. Kugler having an address of 2658 138th
Avenue West, Andover, Minnesota 55304; John R. Drontle having an address of 10560
97th Street Northeast, Monticello, Minnesota 55362; Peter T. Keith having an address of
1477 Grantham Street, St. Paul, Minnesota 55108; Thomas V. Ressemann having an
address of 1730 Boxwood Circle, St. Cloud, Minnesota 56303; Matthew J. Olson having
an address of 2610 Snelling Curve #17, Roseville, Minnesota 55113; and Thomas K.
Heiland having an address of 6832 92nd Avenue North, Brooklyn Park, Minnesota 55445.

1. ☒ Enclosed are 30 pages of specification, 9 pages of claims (45
claims), 1 page of abstract, and 28 pages of drawings.

2. ☒ Enclosed is a copy of the Declaration and Power of Attorney
(4 pages).

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3. ☒ Incorporation by Reference. The entire disclosure of the prior Application No. 09/039,776, filed March 16, 1998, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference.

4. ☒ The filing fee is calculated below:

a. ____ No small entity status is claimed.

b. _X_ A small entity form was filed in connection with the parent application and a copy is enclosed.

5. ☒ Cancel in this application original claims 1 to 36 of the prior application before calculating the filing fee.

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee $345.00
Total Claims	10-20	0	X	$9.00	0
Independent Claims	2-3	0	X	$39.00	0
Multiple Dependent Claims	0	0	X	$130.00	0
Total					$345.00

6. ☐ The Commissioner is hereby authorized to charge any deficiency in fees which may be required, or credit any overpayment to Deposit Account No. 16-2312. A duplicate copy of this sheet is enclosed for that purpose.

7. ☒ A check in the amount of $345.00 is enclosed to cover the required filing fees.

8. ☒ Amend the specification by adding the following sentence before the first paragraph: --This is a divisional of Application No. 09/039,776, filed March 16, 1998, the contents of which are hereby incorporated herein by reference.--

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9.   ☒   28 sheets of formal drawings are enclosed.

10.   ☒   The Assignment records in the Patent and Trademark Office indicate that the prior application is assigned to: TERAMed Inc.

11.   ☒   The Power of Attorney in the prior application is to: Thomas E. Popovich, Terry L. Wiles, Patrick J. O'Connell, Miriam G. Simmons and others.

        a.   ☐   The power appears in the original papers in the prior application.

        b.   ☒   A copy of the power in the prior application is enclosed.

        c.   ☒   Address all future communications to:
                   Thomas E. Popovich, Esq. (Reg. No. 30,099)
                   Popovich & Wiles, PA
                   Suite 1902, IDS Center
                   80 South 8th Street
                   Minneapolis, MN 55402

12.   ☒   A Preliminary Amendment (3 pages) is enclosed.

13.   ☒   An Information Disclosure Statement (3 pages), and two copies of Form PTO-1449 (2 pages) are enclosed.

Respectfully submitted,

Dated: 8/31/00   By _Terry L. Wiley_
                           Terry L. Wiles, Esq. (29,989)
                           Miriam G. Simmons (34,727)
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